

Panaji, 24th May, 1979 (Jyaishta 3, 1901)

SERIES II No. 8

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Order

No. 4-32-77-Div. I

Shri V. V. Mongia, Secretary (Revenue) is hereby sanctioned leave for twenty seven (27) days with effect from 11-6-1979 to 7-7-1979. The nature of leave will be intimated later on.

2. Certified that Shri Mongia would have continued to officiate in the same post but for his proceeding on leave.

3. Shri V. V. Mongia is also permitted to avail L.T.C. for the block year 1978-81.

4. Consequent upon Shri Mongia's proceeding on leave, Shri D. W. Salpekar, Secretary to C. M. stationed at present at Cabo Raj Niwas, shall officiate in the post of Secretary (Revenue) during the leave period of Shri V. V. Mongia, Secretary (Revenue).

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 18th May, 1979.

Order

No. 5-14-74-Div. I (Part)

Read: — Govt. Order No. 5-14-74-Div. I (Part) dated 15-1-1979.

On the recommendation of the Departmental Promotion Committee, Shri A. K. Srivastava, Head of the Department in Electrical Engineering is hereby promoted on officiating basis to the General Central Service Group 'A' permanent post of Principal, College of Engineering, Goa, under the Government of Goa, Daman and Diu in the pay scale of Rs. 1500-60-1800-100-2000 with immediate effect.

2. Shri Srivastava shall be on probation for a period of two years.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. J. Menezes, Under Secretary (Personnel).

Panaji, 18th May, 1979.

Secretariat Administration and Coordination Division

Order

No. PER-631-Div. III

Read: Order No. PER-631-Div. III dated 19-2-1979.

In continuation to the order referred to above, the deputation period of Shri K. C. D. Gangwani, Law Secretary to the

Government of Goa, Daman and Diu is hereby extended for a further period from 16-4-1979 to 2-5-1979 on the existing terms and conditions.

2. The services of Shri Gangwani are placed at the disposal of Government of India Ministry of Law, Justice and Company Affairs (Department of Legal Affairs) New Delhi with effect from 5-5-1979 (A.N.) since Shri Gangwani is being sanctioned earned leave for 3 days with effect from 3-5-1979 to 5-5-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. N. S. Nair, Under Secretary (S. A. & C.).

Panaji, 14th May, 1979.

Order

No. PER-710-Div. III

On deputation from the Government of India, Ministry of Law, Justice and Company Affairs (Department of Legal Affairs), New Delhi, Shri M. K. Mishra, a permanent officer of Madhya Pradesh Civil Service and officiating Deputy Legal Advisor (Grade III of the Central Legal Service) is appointed as Law Secretary, Government of Goa, Daman and Diu with effect from 1-5-1979 on the terms and conditions contained in their Order No. A. 35017/7/77-Adm.I(LA) dated 26-4-1979.

2. With effect from the date of his joining i.e. 3-5-1979 (F. N.), Shri K. C. D. Gangwani will stand relieved of the charge of the post of Law Secretary consequent upon expiry of his deputation period.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. N. S. Nair, Under Secretary (S. A. & C.).

Panaji, 18th May, 1979.

Home Department (General)

Notification

No. HD-G-44-417/77

In exercise of the powers conferred by clause (5) of section 2 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Lieutenant Governor of Goa, Daman and Diu hereby amends the Government's Notification No. HD-G-44-417/77 dated 14-3-1978, published in the Official Gazette, Series II, No. 51, dated 23-3-1978 (hereinafter called as the said Notification) as follows, namely:—

"1. In Schedule I appended to the said Notification,—

i) Village Talaulim at entry No. 11 shall be deleted.

ii) The existing entries at Nos. 12 to 20, shall be renumbered as entries, Nos. 11 to 19 in serial order, respectively.

2. In Schedule II appended to the said Notification, after entry No. 32, the following entry shall be inserted, namely.

"33) Village Talaulim".

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

M. N. Bhartiya, Under Secretary (Home).

Panaji, 22nd May, 1979.

Works, Education and Tourism Department

Order

No. 17-47-79-WET

Government is pleased to constitute Sub-Committee of the State Council of Technical Education for the Union Territory of Goa, Daman and Diu with the following members to examine the policy on Technical Education to be adopted for the next five years taking into account the requirements of Technical personnel in the Union Territory and enrolment of students for higher Secondary Education.

- 1) Director of Technical Education Elphinston Technical High School Building, 3-Mahapalika Marg, Bombay-400001 — Chairman.
- 2) Director, Board of Technical Examinations, Elphinston Technical High School Building, 3-Mahapalika Marg, Bombay-400001 — Member.
- 3) Director of Education, Panaji. — Member.
- 4) Principal, College of Engineering, Farmagudi-Ponda, Goa — Member.

- 5) Chairman, Board of Secondary and Higher Secondary Examinations, Porvorim, Goa — Member.
- 6) Commissioner, Labour and Employment, Panaji — Member Secretary.

The main aims of the Committee, among others will be to report about:

- a.) Specific direction to be given to the Technical Education in this Territory indicating the areas of Technical Education to be covered and the expansion programme to be adopted in the next five years after looking to the present and future requirements.
- b.) Vocationalisation to be introduced right from the primary level, with technical bias, so as to make education as a profitable way of living and the human resources developed as per their aptitudes, right from the primary level.
- c.) Trades to be introduced, standardwise in the various schools in order to divert the flow of students from Xth standard to technical professions.

General Guidelines:

- i) The Sub-Committee should submit its report within 3 months of its formation.
- ii) The members attending the meeting are entitled for TA/DA as per rules which will be met from the respective departmental/institutions Budgetary provision.

This issues with the concurrence of Finance Department vide their U.O. No. Fin/Exp/2350/79 dated 11-5-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Works, Education and Tourism).

Panaji, 16th May, 1979.

Forest and Agriculture Department

Order

No. 2-75-70-FOR

Shri Rohidas Nagesh Naik, a candidate recommended by the Union Public Service Commission was deputed for training as Probationer for Training for the two years Diploma Course in Forestry at the State Forest Service-College-Cum-Research Centre, Burnihat, Assam. On the successful completion of his training, Shri Rohidas Nagesh Naik is hereby appointed purely on temporary basis until further orders to the post of Assistant Conservator of Forests in the Forest Department, Panaji with effect from 7-5-1979 in the pay scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200

on the terms and conditions contained in the Offer of Appointment Memorandum No. 2-3-77-LSG dated 16-5-1977.

The appointee shall be on probation for a period of two years. His pay shall be regulated as per the rules in force.

Consequent upon the above appointment, Shri S. V. Naik, who was appointed to the post of Assistant Conservator of Forests in the Forest Department by promotion on ad-hoc basis under Government order No. 2-75-70-LSG dated 16-2-1974 is hereby stands reverted to the post of Range Forest Officer with effect from 7-5-1979.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Forest & Agriculture.)

Panaji, 15th May, 1979.

Order

No. 1-42-76-FSH

The following transfers of Group 'B' Officers in the Directorate of Fisheries, Panaji are hereby ordered with immediate effect in public interest.

Sr. No.	Name and designation	Present posting	New posting
1.	Shri R. R. Bhonsule, Superintendent of Fisheries.	Headquarters Panaji.	Sub-Office, Daman.
2.	Shri R. V. Naik, Superintendent of Fisheries.	Off-shore, Panaji.	Headquarters Panaji.
3.	Shri G. K. Kurian, Superintendent of Fisheries.	Sub-Office, Daman.	Off-shore, Panaji.

The above officers will be entitled to T.A./D.A. on transfers as per rules in force. Shri R. V. Naik should move first to relieve Shri R. R. Bhonsule and others should follow subsequently.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Forest & Agriculture).

Panaji, 19th May, 1979

Local Administration and Welfare Department

Order

No. 4-50/Coop/Deputation/76/RDD

Read Govt. Order No. 4-50/Coop/Deputation/76/RDD/
/9106 dated 23-11-76.Read Govt. Addendum No. 4-50/Coop/Deputation/76/
/RDD/3556 dated 7-7-77.Read Govt. Order No. 4-50/Coop/Deputation/76/RDD
dated 12-1-79.

Sanction of the Government is hereby accorded to the extension of deputation term of Shri A. V. Chikkodi, Special Auditor of Cooperative Societies, as Accounts Officer to the Sugar Factory, for a further period of six months with effect from 23-2-1979, under the terms and conditions already specified in the Government Orders cited above.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 15th May, 1979.

Notification

No. 6-35-75-LSG

Read: —Notification No. 6-35-75-LSG (ii), dated 22-5-1977.

In exercise of the powers conferred by sub-section (1) of Section 4 of the Children Act, 1960 (Central Act 60 of 1960), the Administrator of Goa, Daman and Diu hereby constitute a new Child Welfare Board for the District of Goa with the following composition for the purpose of the said Act and Rules made thereunder with effect from 22nd May, 1979:

1. Shri N. Rajasekhar — Chairman.
2. Smt. A. V. Sawardekar — Member.
3. Dr. M. B. Ghanekar — Member.
4. Shri Gurunath V. Shetye — Member.

By order and in the name of the Administrator of Goa, Daman and Diu.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 18th May, 1979.

Revenue Department

Notification

No. RD/LQN/262/78

Whereas by Government Notification No. RD/LQN/262/78-II dated 23-11-1978 published on page 373 of Series II, No. 36 of the Official Gazette, dated 7-12-1978 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Salaulim Irrigation Project (Main Canal and Distributories) (Part II Cusmoné Village Addl. area).

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after consider-

ing the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Collector's Office, Panaji, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Ref. Holding No.	Names of the persons believed to be interested	Approximate area in sq. mts
1	2	3	4	5	6	7
1.	Quepem	Cusmoné	—	281	H: A. Ambe. T: Shri Alex Oliveira.	2,100.00
2.	—do—	—do—	—	304	H: Narayan Hegde.	825.00
3.	—do—	—do—	—	307	H: Narayan Hegde.	3,420.00
4.	—do—	—do—	—	327	H: Cathedral Chapter of Archdiocese of Goa & Daman Administrator of Deao, Property Quepem-Goa. T: Filomeno Barreto.	32.00
5.	—do—	—do—	—	330	T: Inacio Barreto.	2.00
6.	—do—	—do—	—	331	H: Rosario Oliveira.	2.00
7.	—do—	—do—	—	328	H: Cathedral Chapter of Archdiocese Goa & Daman, Administrator of Deao Property, Quepem-Goa. T: Filomeno Barreto.	2.00
8.	—do—	—do—	—	329	H: Cathedral Chapter of Archdiocese Goa & Daman, Administrator of Deao Property, Quepem-Goa. T: Filomeno Barreto.	2.00
Total						6,385.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 16th May, 1979.

Notification

No. RD/LQN/262/78-V

Whereas by Government Notification No. RD/LQN/262/78 dated 23-11-1978 published on page 375 of Series II, No. 36 of the Official Gazette, dated 7-12-1978 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for the public purpose viz. Salaulim Irrigation Project Colony at Cuncolim:

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the

said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore, the Government is pleased to declare under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Special Land Acquisition Officer, Panaji, to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the said Collector's Office, Panaji, till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Plot No.	Survey No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
1.	Salcete	Cuncolim	—	394	1. Sociedade Agricola dos Gauncares de Cuncolim e Veroda; 2. Custodian of Evacuee Property.	6,820.00
Total:						6,820.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

V. V. Mongia, Secretary (Revenue).

Panaji, 16th May, 1979.

Declaration

No. RD/CON/94/74

It is hereby declared that by Order of Lt. Governor dated 4-5-1979 a Plot of land admeasuring 500 sq. mts. (Five Hundred Sq. Metres) belonging to the Comunidade of Serula and granted on provisional basis on 2-7-1974 to the late Shri Vithal Laxman Pednekar of Panaji, for construction of residential houses, has been reverted to the Comunidade of Serula as the same has not been utilised for the purpose for which it was granted.

This is issued as per Article 346 of the Code of Comunidades in force.

Egipcio Noronha Rodrigues, Under Secretary (Revenue)

Panaji, 15th May, 1979.

Declaration

No. RD/COM/172/74

It is hereby decided that by order of the Lt. Governor dated 7-5-1979 a plot of land admeasuring 400 sq. mts. (four hundred square metres) belonging to the Comunidade of Moira and granted on provisional basis on 23-9-1974 to Shri Ganesh S. Chari of Moira for residential house has been reverted to the Comunidade of Moira as the same has not been utilized for the purpose for which it was granted.

This is issued as per Art. 346 of the Code of Comunidades.

E. N. Rodrigues, Under Secretary (Revenue).

Panaji, 18th May, 1978.

Declaration

No. RD/COM/139/70

It is hereby decided that by order of the Lt. Governor dated 7-5-1979 a plot of land admeasuring 770 sq. mts. (seven hundred seventy square metres) belonging to the Comunidade of Tivim and provisionally granted on 26-7-1979 to Shri K. D. Parsakar of Tivim has been reverted to the Comunidade of

Tivim as the same has not been utilized for the purpose for which it granted.

This is issued as per Art. 346 of the Code of Comunidades in force.

Egipcio Noronha Rodrigues, Under Secretary (Revenue)

Panaji, 18th May, 1979.

Office of the Collector and D. C. A.

Order

No. CAB/MC/EST/4/74

Under powers vested in him by order No. GAD/B/CMN/1/66, dated 19-7-66 of the Lt. Governor, the Collector of Goa and Director of Civil Administration appoints the following persons as members of the Managing Committees of the Comunidades of Bicholim Taluka:—

Comunidade of Bicholim:

President: Shri Baburau Saguna Gauncar.
Substitute: Shri Tulsidas Manguexa Porobo.
Treasurer: Shri Tucarama Madeva Gauncar.
Substitute: Shri Vassudeva Vassanta Gauncar.

Comunidade of Vainguinim:

President: Shri Gopal Babu Gauncar.
Substitute: Shri Ganim Xencor Gauncar.
Treasurer: Shri Xamba Loximona Gauncar.
Substitute: Shri Gopal Pondari Gauncar.
Attorney: Shri Cusso Bicarro Gauncar.
Substitute: Shri Soguna Nanim Gauncar.

Comunidade of Cotombi:

President: Shri Bisso Santu Porobo.
Substitute: Shri Bivam Rama Porobo.
Treasurer: Shri Rogunata Visnum Porobo.
Substitute: Shri Esvonta Visnum Porobo.

Comunidade of Surla:

President: Shri Caxinata Xamba Naique Gauncar.
Substitute: Shri Ratnagar Jaivanta Sinai Surlacar.

Treasurer: Shri Pundolika Rama Naique Gauncar.
 Substitute: Shri Rogunata Xamba Naique Gauncar.
 Attorney: Shri Ananta Tano Naique Gauncar.
 Substitute: Shri Visvonata Madeva Naique Gauncar.

Comunidade of Pissurlem:

President: Shri Visnum Esso Porobo.
 Substitute: Shri Crisna Siurama Porobo.
 Treasurer: Shri Harichondra Quexova Porobo.
 Substitute: Shri Tulxidas Siva Porobo.

Comunidade of Strigao:

President: Shri Deu Malgo Gauncar.
 Substitute: Shri Rogunata Ganexa Gauncar.
 Treasurer: Shri Nanda Madeva Gauncar.
 Substitute: Shri Babruvan Naguexa Gauncar.
 Attorney: Shri Vassanta Bala Gauncar.
 Substitute: Shri Digambar Aniruda Gauncar.

Comunidade of Amona:

President: Shri Mucund Sonum Porobo Gauncar.
 Substitute: Shri Crishna Pundolika Sinari Gauncar.
 Treasurer: Shri Quexova Rogunata Sinari.
 Substitute: Shri Siva Crishna Gaunso.

Vaman Sardesai, Collector and DCA.

Panaji, 30th April, 1979.

In the Court of the Collector of Goa, Panaji

Case No. RB/RVN/19/72-75

Sub: Resumption of Government land known as "Cazni-velem Mola" situated at Costi of Sanguem Taluka — Alvares No. 112 dated 10-11-1915.

Order

Therefore, in exercise of the powers vested in me by virtue of Clause (f) of Sub-Section 2 of Section 21 of the Goa, Daman and Diu Land Revenue Code read with Clause (e) of Rule 15 of the Goa, Daman and Diu Land Revenue (Disposal of Government Lands) Rules 1971, I order that the entire area of plot admeasuring 18.6080.00Ha. be reverted to the Government and direct that possession of the said land be restored with immediate effect.

Sd/- Narendra Prasad, Collector of Goa.

Panaji, 10th April, 1979.

Public Health Department

Corrigendum

No. PHD/38 (3)/77-Hospicio/Asilo

In Government Order of even number dated 4th May, 1979, following lines may be added: —

"This order will be effective from 1st June, 1979."

By order and in the name of the Administrator of Goa, Daman and Diu.

Satish Chandra, Secretary (Health).

Panaji, 16th May, 1979.

Industries and Labour Department

Order

No. ILD/3634/79

The following three Awards given by the Industrial Tribunal-cum-Labour Court, Goa, Daman and Diu are hereby

published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

- (1) Award No. IT/36/73 dated 19-3-1979.
- (2) Award No. IT/41/78 dated 19-3-1979.
- (3) Award No. IT/43/78 dated 19-3-1979.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary, Industries and Labour.

Panaji, 11th May, 1979.

**Before Shri R. V. Kollali, Presiding Officer,
 Industrial Tribunal cum Labour Court,
 Government of Goa, Daman and Diu,
 Panaji-Goa**

No. IT/41/78

Shri Roquizeinho Fernandes, represented by
 The President, Goa Shops and Industrial
 Workers' Union Post Box No. 99, Margao
 -Goa.

... 1st Party

V/s.

M/s. Narsinva Damodar Naik, Post Box
 No. 43, Margao-Goa.

... 2nd Party

The Government of Goa, Daman and Diu referred the dispute concerning the termination of the services of the 1st Party workman by the 2nd party employer for adjudication setting out the following schedule.

SCHEDULE

"Whether the action of the management of M/s. Narsinva Damodar Naik, Margao, Goa, in terminating the services of Shri Roquizeinho Fernandes, Welder with effect from 16-7-1977 is legal and justified?

If the answer be in the negative, to that relief, if any, is the aforementioned workman entitled to?"

Six dates were given and on five dates notices were served. No claim statement was filed. Nor was any request made for further time. It has to follow therefore, that there is no point in keeping the proceeding pending any further. It follows that in the absence of even the claim statement, there is no material before this Tribunal for considering that there is anything wrong or illegal about the termination of the 1st party workman. In the circumstances the following award is passed.

AWARD

There is no material suggesting that there is anything wrong or illegal about the termination of the services of the first party workman.

Dated: — 19-3-79.

Place: — Panaji.

R. V. Kollali

Presiding Officer.

**Before Shri R. V. Kollali, Presiding Officer,
 Industrial Tribunal cum Labour Court,
 Government of Goa, Daman and Diu,
 Panaji-Goa**

Ref. No. IT/43/78

The workmen represented by the General
 Secretary, Goa National Commercial &
 General Employees Sangh, Borges
 Building, Vasco-da-Gama, Goa.

... 1st Party

V/s.

The Chief Executive, M/s. Goa Carbon
 Limited, Dempo House, Panaji, Goa.

... 2nd Party

The Government of Goa, Daman and Diu referred the dispute concerning the change in timings of the General Shift

between the workers and the management of M/s. Goa Carbon Ltd., Panaji for adjudication setting out the following schedule:

SCHEDULE

"Whether the action of the management of M/s. Goa Carbon Ltd., Panaji, Goa, in effecting the change in the timings of General shift with effect from 7-11-77 without giving notice as required under section 9-A of the Industrial Disputes Act, 1947 is legal and justified?"

If not, whether the demand of the workmen for restoration of the old timings is justified?"

The 1st party workmen were called to file their claim statement in regard to the dispute. On 16-3-79 the General Secretary of the 1st party Union filed a memo stating that the Union is not interested in proceeding further with the dispute. The dispute is of a general nature and in view of the attitude of the Union as exhibited by the memo, it has to be held that there is no dispute for being adjudicated. Hence, the following award is passed.

AWARD

No claim statement having been filed, there is no material for holding that the action of the management in the matter of the timings of the General Shift was anything but just and legal.

Dated: — 19-3-79.

R. V. Kollali

Place: — Panaji.

Presiding Officer.

Before Shri R. V. Kollali, Presiding Officer,
Industrial Tribunal cum Labour Court,
Government of Goa, Daman and Diu,
Panaji-Goa

No. IT/36/73

Shri P. G. Arondekar, represented by The
Goa Mining & Labour Welfare Union,
Assonora, Bardez-Goa.

... 1st Party

V/s.

M/s. Gangadhar Narsingdas Agrawal, Mar-
gao-Goa.

... 2nd Party

The Government of Goa, Daman and Diu, referred the dispute arising out of the termination of the services of the 1st party workman by the 2nd party from 19-6-1972 for adjudication to this Tribunal setting out the following schedule:

SCHEDULE

"Was the Management of M/s. G. N. Agrawal, Margao, Goa justified in terminating the services of Shri P. G. Arondekar, with effect from 19-6-1972;

If not, to what relief the concerned workman is entitled to?"

In the claim statement the following points were set out: the workman had served the management since 1957 and the termination of service was on a bare assertion of loss of confidence, giving no particular or details; no charge sheet had been issued and no inquiry was held; no opportunity was given to the workman; and hence the termination wrongful.

By the written statement the 2nd party contended this reference was bad in law as it is an individual dispute and the powers under section 2-A of the Industrial Disputes Act have not been invoked; the workman had been warned in negligence in the past and had not submitted accounts of disbursement of wages and there were reasons to consider his connection with certain thefts from the area in his charge; and that therefore the termination was fully justified and legal.

Thereafter, the parties went on representing continuously that they were negotiating for a settlement or at the request or one of the parties on as many as 18 dates and finally the workman undertook to go to the Union Office and give full instructions about his case and see that his case would be conducted. Thereafter four dates came on for the case and the Union Secretary was not available. Then started a phase when the Union Secretary went on informing that talks had

been held but had to be finalised. After some further dates, the workman seems to have lost confidence in the Union, for, he sought leave to be represented by some one else. On 23-11-78, Shri George Vaz filed authorisation for the workman, and the case came up on 16-3-79, the sitting of the Tribunal on one intervening date having been cancelled. On 16-3-79 a memo of settlement was filed by both the parties.

Under the settlement the workman will be paid all the legal dues amounting to Rs. 1988.12 in instalments of Rs. 1000/- on publication of the award in the Official Gazette and the balance a month thereafter and the termination by way of discharge simplicitor was to stand and the workman was to get a service certificate.

The settlement ensure the payment of all the money due to the workman promptly. He gets also a service certificate and the nature of termination has been clarified as being one of discharge simplicitor. The very long course of negotiations is a pointer to the fact that the parties had thrashed out the matter in every detail and had finally come round to the settlement. Hence the settlement is found to be fair and reasonable and accepted. The following award is passed.

AWARD

Award is passed in terms of the settlement dated 16th March, 1979, which shall be annexed to and form part of this award.

Dated: — 19-3-79.

R. V. Kollali

Place: — Panaji.

Presiding Officer.

Before Shri R. V. Kollali, Industrial Tribunal,
Goa, Daman and Diu, Panaji

Reference: IT/GDD 36 of 1973

BETWEEN

M/s. Gangadhar Narsingdas Agrawal, Margao-Goa.

AND

Their workman Shri P. G. Arondekar, represented by the
Goa Mining and Labour Welfare Union, Assonora,
Bardez-Goa.

MAY IT PLEASE YOUR HONOUR:

The parties in the above dispute have after discussions come to the following agreement to settle the dispute. The Award in terms of this agreement may kindly be granted as consent award.

Terms of settlement

- 1) The termination of service of Shri P. G. Arondekar by way of discharge simplicitor stands. The workman will be paid all his legal dues and notice pay.
- 2) The clearance of his dues will be as under: —

a) Notice pay	Rs. 275.00
b) Wages of June '72 19 days	Rs. 189.02
Less: Provident Fund	Rs. 11.25
	Rs. 177.77
c) Bonus for the year 1971-72	Rs. 266.25
d) Bonus for the year 1972-73	Rs. 61.60
e) Gratuity (as per Central Wage Board for Iron Ore Mining Industry) 15 days basic wages for each completed year of service subject to the maximum of 15 months basic wages. Basic Rs. 161/- for 15 years of service	Rs. 1,207.50
Total	Rs. 1,988.12
- 3) That the above payment will be made in two instalments, the first instalment of Rs. 1,000/- (Rupees one thousand

only) after publication in the Gazette and the balance after one month thereafter.

4) That the workman will be issued a Service Certificate.

For: Gangadhar Narsingdas
Agrawal

For Goa Mining & Labour
Welfare Union

(K. N. Rao)

(George Vaz)

Personnel Manager,
Margao-Goa.

General Secretary
Assonora, Bardez-Goa.

Witness No. 1 J. S. Vaz
Witness No. 2 G. Braganza

P. G. Arondekar
Workman

Panaji, 16th March, 1979.

Order

No. ILD/373/79

Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the employers in relation to the management of M/s. Central Printing Press, Panaji, Goa, and their workmen represented by the Newspaper and Press Employees' Union, Betim, Bardez, Goa, in respect of the matters specified in the Schedule hereto annexed (hereinafter referred to as the "said dispute");

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, constituted under section 7-A of the said Act.

SCHEDULE

"Whether the rejection of following demands of the workmen of M/s. Central Printing Press, Panaji, are justified?

1. Categorisation of workers into three groups and demand for scales as mentioned against each category:

- a) Supervisors — 200-10-250-15-340-20-425;
- b) Compositor, Binder, Printer, Clerk — 150-8-190-10-240-15-315.
- c) Baller, Perforator, Distributor, Peon — 100-6-130-9-175-12-235;

2. Demand for applicability of the above scales with retrospective effect from 31-12-1977.

3. Demand for D.A. of the following rates:

- a) for the first Rs. 100 in basic pay — Rs. 60/-;

b) for the second Rs. 100 in basic pay — Rs. 50/-;

c) for the third Rs. 100 in basic pay — Rs. 40/-;

4. Demand for V.D.A. at the rate of Rs. 100 per month (with 1949 = 100 as base).

The demand for applicability of D.A. and V.D.A. is with effect from 1-1-1978.

If the answer be in the negative, to what relief if any, are the aforementioned workmen entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Industries and Labour).

Panaji, 18th May, 1979.

Order

No. ILD/6011/79

Whereas the Lieutenant Governor of Goa, Daman and Diu, is of the opinion that an industrial dispute exists between the employers in relation to the management of M/s. Kamala Engineering Works, C-6, Industrial Estate, Corlim, Ilhas Goa, and their workmen S/Shri P. N. Shreedharan Nair and K. S. Rajan Pillai, represented by the National Union of General Employees, Vasco-da-Gama, in respect of the matters specified in the Schedule hereto annexed (hereinafter referred to as the 'said dispute');

And whereas the Lieutenant Governor of Goa, Daman and Diu considers it expedient to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, constituted under Section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Kamala Engineering Works, C-6, Industrial Estate, Corlim, Ilhas, Goa, in terminating the services of S/Shri P. N. Shreedharan Nair and K. S. Rajan Pillai w. e. f. 7-8-1978 is legal and justified?

If the answer be in the negative, to what relief, if any, are the aforementioned workmen entitled to?"

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. M. Naik, Under Secretary (Industries and Labour).

Panaji, 18th May, 1979.